

City of Irving Policies and Procedures

Discrimination Complaints

POLICY

The City of Irving prohibits discrimination against any person on the basis of race, sex, color, national origin, disability, marital status, sexual orientation, gender identity or expression/reassignment, pregnancy, age, religion, genetics or veteran status. Certain terms and conditions of employment, including promotion, transfer, leaves of absence, compensation and training are covered under this policy. This policy provides an employee who has a discrimination complaint with an avenue for investigation and/or resolution. The city will attempt to promptly resolve discrimination complaints that are appropriate for handling under this policy (See Sexual and Other Illegal Prohibited Harassment Policy for harassment complaints).

PROCEDURE

Filing a Complaint: The employee must provide a detailed description of the alleged discrimination along with a recommended resolution of the complaint to any supervisor or Human Resources. If the complaint is filed by or against an employee in Human Resources, the city manager may, but is not required to, designate an investigator to conduct the investigation and make a recommended resolution. Any employee intentionally filing a false complaint shall be dismissed.

Investigation: Human Resources will interview the employee as soon as possible after receiving the complaint to obtain any evidence to support the complaint. Human Resources will conduct an investigation and render a decision or recommended resolution to the employee's department director and appropriate management staff as soon as possible after meeting with the employee. All employees are required to cooperate in an investigation to assist the city in determining the facts surrounding the complaint. Failure to do so is grounds for disciplinary action.

Supervisor Responsibility: Each supervisor must maintain a workplace free of any form of discrimination. The responsibility to maintain a workplace free of discrimination includes a duty to report any instance where the supervisor is aware of an act of direct or indirect discrimination. A supervisor may report any instance of discrimination either through the chain of command or directly to Human Resources or the city manager.

Confidentiality: All information concerning a discrimination complaint is confidential. No employee will disclose the content of a discrimination complaint, whether verbal or written, except as a part of the investigative process or to those who have a need to know.

Appeal to the City Manager: If the decision or recommended resolution of the department director does not satisfy the employee, the decision may be appealed to the city manager or designee within five working days of receipt of the decision. The city manager or designee will review the discrimination complaint and the investigation. The city manager or designee will determine if further investigation is warranted or render a decision or suggested resolution within 30 working days of receipt of the appeal. The decision of the city manager completes the internal process for discrimination complaints.

Prohibited Retaliation: No employee or supervisor will retaliate against another employee who files a complaint of discrimination or cooperates with a discrimination investigation. Any employee or supervisor retaliating against another employee will be subject to disciplinary action.

Extension of Time: If Human Resources or the City Manager's Office needs an extension of time, the employee will be notified.